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NO. 3017 P. 2

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Appln. No. 09/890,641
Amendment dated May 19, 2006
Reply to Office Action of March 23, 2006

Amendments to the Drawings

Attached hereto is an annotated sheet showing changes to
Fig. 4.

Attachment: Annotated Sheet (1) Showing Changes to Fig. 4

Appln. No. 09/890,641
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REMARKS/ARGUMENTS

Reconsideration of the present application, as amended, is respectfully requested.

The March 23, 2006 Office Action and the Examiner's comments have been carefully considered. In response, remarks are set forth below in a sincere effort to place the present application in form for allowance.

DRAWINGS

In the Office Action, the Examiner objects to the drawings under 37 CFR 1.83(a) as not showing every feature of the invention specified in the claims. Specifically, the Examiner states that the step of generating connecting data relating to telecommunication links and using the data identified in the access point and automatically modifying the access point as stated in claim 1 must be shown or the features cancelled from the claims. In response, Applicant respectfully states that Fig. 4 of the drawings is amended and corresponding amendments to the detailed description have also been made.

In view of the amendments and comments regarding Fig. 4, reconsideration and withdrawal of the objection to the drawings are respectfully requested.

Appln. No. 09/890,641
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REJECTION UNDER 35 USC 112, FIRST PARAGRAPH

In the Office Action claims 21-33 are rejected under the first paragraph of 35 USC 112 as failing to comply with the written description requirements. Specifically, the Examiner contends that the specification inadequately describes and originally supports the now claimed step of generating connecting data relating to telecommunication links and uses the data identifying the access point and automatically modifying the access point as stated in claim 21, and the recording unit generating connecting data relating to telecommunication links, the processor unit identifying the access point and automatically modifying the access point as stated in claim 26.

Initially, Applicant respectfully states that the Examiner's rejection under the first paragraph of 35 USC 112 is inaccurate in stating claim 26. The Examiner should have indicated that the rejection was in connection with claim 27. The Examiner is respectfully requested to point out in the next Patent Office communication that he agrees with Applicant's understanding of the rejection under the first paragraph of 35 USC 112 so that the record regarding this rejection is clear.

Appln. No. 09/890,641
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With regard to the Examiner's comments in connection with claim 21, the Examiner contends that the following steps in claim 21 are not supported by the specification:

1. generating connection data relating to telecommunication links,
2. using the data identifying the access point, and
3. automatically modifying the access point.

However, Step 1 is disclosed in original claim 1, and on page 4, lines 20-22: "The exchange contains a recording unit 27 (Fig. 3) for generating connecting data relating to telecommunications links..."

Step 2 is supported by original claim 1: "... as a function of data on access points ... determining ...", that is, using data on access points. It is clearly evident that determining something as a function of data will necessarily involve using said data.

Step 2 is further supported by page 6, lines 11-17: "... the determination ... occurs as a function of access points used ... by identifying which of the access points ... is most frequently used ..." This wording specifically mentions identifying access points. Again, determining something as a function of data will necessarily involve using said data.

Appln. No. 09/890,641
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Support for Step 2 may also be found on page 7, lines 24-25: "the data relating to access points may also be used ..." This passage specifically mentions using the data.

Step 3 is supported at page 3, line 11: "... there automatically occurs a modification of the access point ..."

With regard to claim 27, the Examiner contends that the following items in claim 27 (not 26) are not supported by the specification:

1. a recording unit generating connecting data relating to telecommunication links,
2. the processor unit (using the data) identifying the access point, and
3. (the processor unit) automatically modifying the access point.

Item 1 is disclosed in original claim 8, and on page 4, lines 20-22: "The exchange contains a recording unit 27 (Fig. 3) for generating connecting data relating to telecommunications links ..."

Item 2 is supported by original claim 8 ("processor structure") and by page 4, lines 25-33: "For processing connecting data there is provided ... a central connecting-data-

Appln. No. 09/890,641
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processing unit 28 ... the connecting data each time contains data which shows ... the cell used as an access point ..."

Item 3 is supported by page 5, lines 5-10: "the processor ... is arranged for determining ... to which of the access points ... specific rates are coupled," and by page 3, lines 11: "... there automatically occurs a modification of the access point ..." It will be evident that this automatic modification is carried out by the processor (32 in Fig. 3).

In view of the foregoing comments, it is clear that claims 21 and 27, and all of the pending claims, are clearly supported by the disclosure as originally filed, and comply with the written description requirement. Reconsideration and withdrawal of the rejection of claims 21-33 under the first paragraph of 35 USC 112 are respectfully requested.

* * * * *

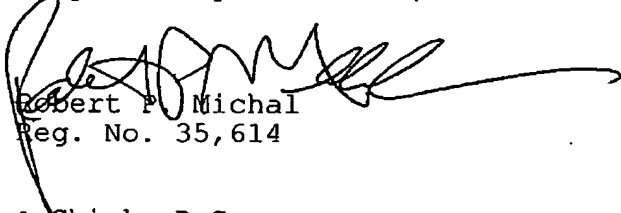
Entry of this Response under the provisions of 37 CFR 1.116, allowance of the claims and the passing of this application to issue are respectfully solicited.

Appln. No. 09/890,641
Amendment dated May 19, 2006
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If the Examiner disagrees with any of the foregoing, the Examiner is respectfully requested to point out where there is support for a contrary view.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,


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Encls.: Annotated Sheet (1) Showing Changes to Fig. 4

Application Serial No. 09/890,641
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Changes

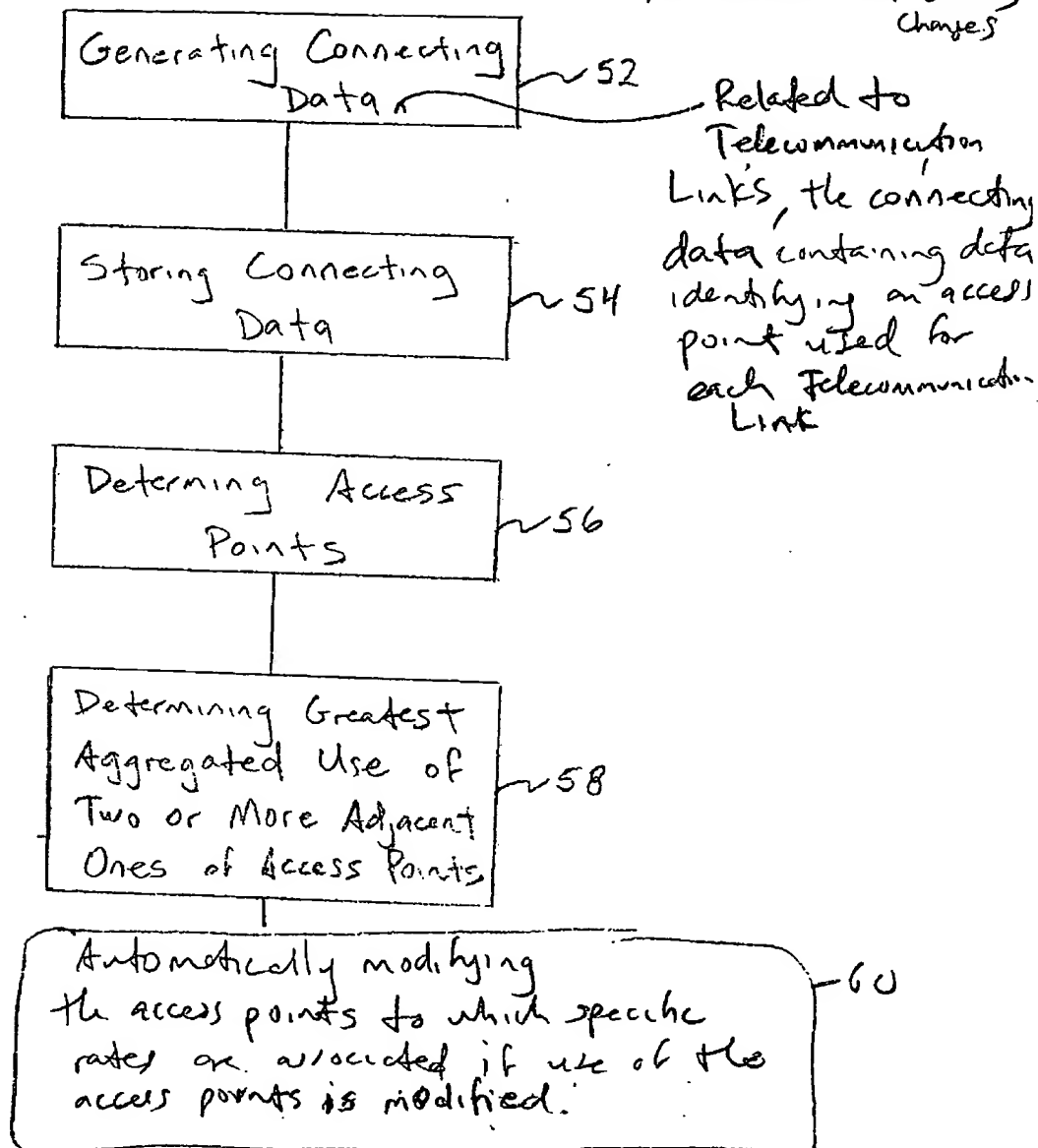


FIG. 4